

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
NEWPORT NEWS DIVISION**

**HERBERT H. MULLINEX, JR.**  
**and PATRICIA E. MULLINEX,**

**Plaintiffs,**

**V.**

**JOHN CRANE INC., et al,**

**Defendants.**

**Case No.: 4:18-cv-00033-RAJ-DEM**

## **JOHN CRANE INC.'S RESPONSE TO PLAINTIFFS' SUGGESTION OF DEATH PURSUANT TO FRCP 25**

In her *Suggestion of Death Pursuant to FRCP 25* [ECF No. 436], Plaintiff Patricia Mullinex does more than simply notify the Court and John Crane Inc. (“JCI”) of her late husband Herbert Mullinex’s passing. She instead takes the additional opportunity – for reasons that are unclear given the ostensible purpose of the filing – to advance a legal argument regarding the survival of Mr. Mullinex’s claim for damages.

Given that ECF No. 436 is of no legal consequence – it moves the Court for no relief of any kind – JCI will offer in response that ECF No. 436 misstates the law on the availability of a survival action under general maritime law. JCI will respond accordingly to the motion to amend referenced by Mrs. Mullinex in ECF No. 436.

Dated: November 22, 2021

**Respectfully submitted,**  
**JOHN CRANE INC.**  
**Defendant**

By: /s/ Eric G. Reeves  
Counsel

Eric G. Reeves (VSB # 38149)  
Laura May Hooe (VSB # 84170)  
Mary Louise Roberts (VSB # 34305)  
Lisa Moran McMurdo (VSB # 44371)  
MORAN REEVES & CONN PC  
1211 E. Cary Street  
Richmond, Virginia 23219  
Telephone: (804) 421-6250  
Facsimile: (804) 421-6251  
[ereeves@moranreevesconn.com](mailto:ereeves@moranreevesconn.com)  
[lmayhooe@moranreevesconn.com](mailto:lmayhooe@moranreevesconn.com)  
[mroberts@moranreevesconn.com](mailto:mroberts@moranreevesconn.com)  
[lmcmurdo@moranreevesconn.com](mailto:lmcmurdo@moranreevesconn.com)

Chris Massenburg (*Admitted Pro Hac Vice*)  
Manning Gross + Massenburg, LLP  
14 Wall Street, 28<sup>th</sup> Floor  
New York, New York 10005  
Telephone: (504) 799-0504  
Facsimile: (504) 535-2886  
[cmassenburg@mgmlaw.com](mailto:cmassenburg@mgmlaw.com)

***Counsel for John Crane Inc.***

Brian J. Schneider (VSB #45841)  
HAWKINS PARNELL & YOUNG, LLP  
303 Peachtree St., NE  
Suite #4000  
Atlanta, GA 30308  
Telephone: (804) 921-1306  
[bschneider@hpylaw.com](mailto:bschneider@hpylaw.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on this 22<sup>nd</sup> day of November, 2021, a true and accurate copy of the foregoing was filed electronically using the CM/ECF system, which will then send a notification of such filing (NEF) to all counsel of record.

/s/ Eric G. Reeves

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Laura May Hooe (VSB # 84170)

Mary Louise Roberts (VSB # 34305)

Lisa Moran McMurdo (VSB # 44371)

MORAN REEVES & CONN PC

1211 East Cary Street

Richmond, Virginia 23219

Telephone: (804) 421-6250

Facsimile: (804) 421-6251

[ereeves@moranreevesconn.com](mailto:ereeves@moranreevesconn.com)

[lmayhooe@moranreevesconn.com](mailto:lmayhooe@moranreevesconn.com)

[mroberts@moranreevesconn.com](mailto:mroberts@moranreevesconn.com)

[lmcmurdo@moranreevesconn.com](mailto:lmcmurdo@moranreevesconn.com)